

NO. 67443

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office APR 23 2001

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 23 2001

The applicant **K-V Bottle Shop a California Corp.** hereby make application for permission to change the **Point of Diversion, Place and Manner of Use of a Portion of** of water heretofore appropriated under **Permit No. 61403**

1. The source of water is **Underground**
2. The amount of water to be changed **0.007 CSF. 3.0 A.F.A. Fan Water Rights**
3. The water to be used for **Commercial**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **A portion of the NW¼ NE¼ Section 12, T.21S., R.53E., M.D.M. or at a point from which the N¼ corner of said Section 12 bears North 68° 52' 42" West, 885.24 feet.**
6. The existing permitted point of diversion is located within **NW¼ NE¼ Section 27, T.19S., R.53E., M.D.B.&M., or at a point from which the NE corner of said Section 27 bears North 72° 29' 20" East, 2111.13 feet.**
7. Proposed place of use **Within a portion of the NE¼ of Section 12, T.21S., R.53E., M.D.M.**
8. Existing place of use **Within the N½ NE¼ Section 28, T.19S., R.53E., M.D.B.&M.**
9. Use will be from **Jan. 1st to Dec. 31st** of each year.
10. Use was permitted from **Jan. 1st to Dec. 31st** of each year.
11. Description of proposed works **Well, submersible pump, casing, pressure tank, 10,000 gal storage tank for fire protection, and meter.**
12. Estimated cost of works **\$25,000.00**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **2 years**
15. Remarks: **Convenience store and gas station initially. Future commercial or retail businesses anticipated but undetermined at this time. Additional water rights will be transferred if future use requires more than this application is transferring.**

By **David A. Richards**
s/ **David A. Richards**
1191 W. Betty Ave.
Pahrump, NV 89060

Compared gkl/ cmf ds/ cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 61403, is issued subject to the terms and conditions imposed in said Permit 61403, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.007 cubic feet per second, but not to exceed 3.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

November 7, 2003

Proof of completion of work shall be filed before:

December 7, 2003

Water must be placed to beneficial use on or before:

November 7, 2005

Proof of the application of water to beneficial use shall be filed on or before:

December 7, 2005

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 7th day of, November A.D. 2001


State Engineer

Completion of work filed MAY 09 2002

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____